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CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA

Plaintiff

v.

Bernardo Mares-Meza

AKA: Perez, Julian Garcia

AKA: Villasenor, Jose A.

Defendant

Magistrate Docket No. _____

BY: *[Signature]*

DEPUTY

) COMPLAINT FOR

) VIOLATION OF:

) **TITLE 18 U.S.C. § 1544**

) **Misuse of Passport (Felony)**

) **TITLE 18 U.S.C. § 1546**

) **Fraud and misuse of visas, permits and
other documents**

The undersigned complainant, being duly sworn, states:

Count 1:

On or about May 5, 2008, within the Southern District of California, defendant **Bernardo Mares-Meza**, did knowingly and willfully use a resident alien card issued or designed for the use of another, to wit: Defendant presented Resident Alien card number 073-972-240, issued to Jose A. Villasenor, knowing full well that he was not Jose A. Villasenor. All in violations of Title 18, United States Code, Section 1544.

Count 2:

On or about May 6, 2008, within the Southern District of California, defendant **Bernardo Mares-Meza**, did knowingly and willfully use US passport number 500217473, issued to Julian Garcia Perez, knowing full well that he was not Julian Garcia Perez, and that the passport was not issued or designed for his use. All in violation of Title 18 United States Code Section 1546.

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

[Signature of Bruce A. Palombo Jr.]

Bruce A. Palombo Jr.
Special Agent
U.S. Department of State
Diplomatic Security Service

SWORN AND SUBSCRIBED TO before me

This 7th day of May, 2008.

[Signature of United States Magistrate Judge]

UNITED STATES MAGISTRATE JUDGE

PROBABLE CAUSE STATEMENT & STATEMENT OF FACTS

I, Bruce Anthony Palombo Jr., being duly sworn, declare under penalty of perjury that the following statement is true and correct:

1. I am a Special Agent (SA) with the U.S. Department of State, Diplomatic Security Service (DSS) assigned to the San Diego, CA Resident Office. I have been so employed for 3 ½ years and have investigated numerous violations involving the false application for and misuse of United States Passports and Visas.
2. During the performance of my duties, I have obtained evidence that Bernardo Mares-Meza, aka Jose A Villasenor, hereafter referred to as DEFENDANT, used the Resident Alien card issued for the use of another. I have also obtained evidence that Beranardo Mares-Meza, aka Julian Garcia Perez, used the U.S. passport issued for the use of another. This Affidavit is made in support of a complaint against Bernardo Mares-Meza for violations of Title 18, U.S.C., Section 1544, Misuse of a Passport and Title 18, U.S.C., Section 1546, Fraud and misuse of visas, permits and other documents.
3. On 05/05/08, according to a Department of Homeland Security, Customs and Border Protection (CBP) Officer, DEFENDANT approached the pedestrian entrance to the Otay Mesa Port of Entry. DEFENDANT was asked the normal immigration questions (such as his citizenship, where he was going, any items to declare, etc.) and then DEFENDANT provided a CBP Officer with a Permanent Resident Card (number 073-972-240) in the name of Jose A. Villasenor. A CBP officer did not believe the card belonged to DEFENDANT, and referred him to secondary inspection.
4. On 05/05/08, a CBP Officer conducted a secondary inspection of DEFENDANT. During the inspection DEFENDANT'S fingerprints were taken, and revealed an FBI number (380908TB6) in the name Bernardo Mares, a citizen of Mexico. Computer checks reveal five previous encounters with Customs Border Protection and/or Border Patrol. DEFENDANT was issued an I-860 and expeditiously removed for life.
5. On 05/06/08, at approximately 1503 hours, according to a CBP Officer, DEFENDANT approached the pedestrian entrance to the San Ysidro Port of Entry. DEFENDANT was asked the normal immigration questions (such as his citizenship, where he was going, any items to declare, etc.) and then DEFENDANT provided a CBP Officer with a U.S. Passport (number 500217473) bearing the name of Julian Garcia Perez. A CBP officer was not convinced DEFENDANT was the rightful owner of the passport, and escorted DEFENDANT to the Security Officer for further inspection.
6. On 05/06/2008, a CBP Officer conducted a secondary inspection of DEFENDANT. During the inspection DEFENDANT'S fingerprints were taken, and revealed that he had an FBI

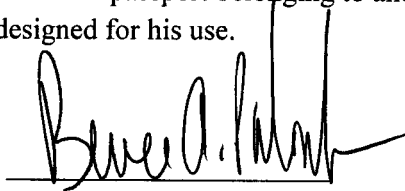
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record in the name Bernardo Mares, 08/20/1970, who is a citizen of Mexico. Computer checks reveal that the DEFENDANT has been returned to Mexico indefinitely the day before.

7. On 05/06/2008, at approximately 1000 hours, the DSS San Diego Resident Office Representative was notified by the CBP at the San Ysidro POE of the case. Affiant conducted checks of the US Department of State, US Passport database. Record checks revealed that US Passport number 500217473 had been issued on April 4, 2006, and had been reported lost or stolen on October 10, 2007. The photograph and DOB on the passport application did not match the DEFENDANT.

8. On the basis of the facts presented in this probable cause statement consisting of 3 pages, Affiant asserts there is probable cause to believe that the defendant named in this probable cause statement committed the offence on 05/05/2008 - in violation of Title 18, United States Code, Section 1546: Fraud and misuse of visas, permits, or other documents - when he knowingly and willfully used the Resident Alien Card belonging to another, Jose A. Villanueva, knowing it was not issued or designed for his use

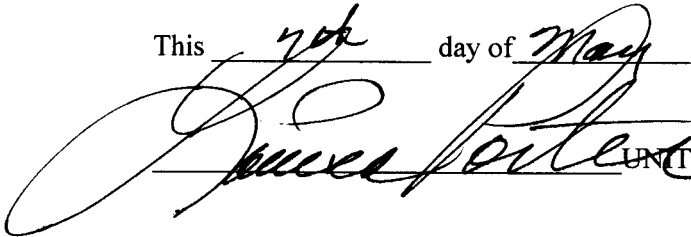
9. On the basis of the facts presented in this probable cause statement consisting of 3 pages, there is also probable cause to believe that the defendant named in this probable cause statement committed the offence on 05/06/2008 - in violation of Title 18, United States Code, Section 1544: Misuse of a passport - when he knowingly and willfully used the passport belonging to another, Julian Garcia Perez, knowing that it was not issued or designed for his use.



Bruce A. Palombo Jr.
Special Agent
U.S. Department of State
Diplomatic Security Service

SWORN AND SUBSCRIBED TO before me

This 7th day of May, 2008.



UNITED STATES MAGISTRATE JUDGE